



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Docket No.: 2013589-8501US

Rual HAYES, et al.

Serial No.: 10/684,592

Group Art Unit: 3747

Confirmation No.: 1754

Examiner: ALI, Hyder

Filed: October 15, 2003

For: **LOCOMOTIVE ENGINE WITH
SKIPFIRE CONTROL SYSTEM**

U.S. Patent and Trademark Office
Customer Window, Mail Stop: Amendment
Randolph Building
Alexandria, VA 22314

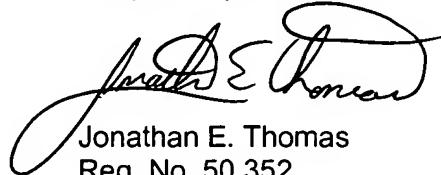
**COMMENTS ON EXAMINER'S AMENDMENT AND
REASONS FOR ALLOWANCE**

Sir:

Reasons for Allowance (RFA) were included in the Notice of Allowability mailed by the Patent and Trademark Office on December 22, 2004. However, the Applicant has no obligation to respond to the RFA. See Eolas, at *20, Eolas Technologies Inc. v. Microsoft, 04-1234 (Fed. Cir. March 2, 2005) (Fed. Cir. BBS). To clarify the record, the section titled "Examiner's Amendment" makes no amendments to the claims, specification, or drawings. Instead, the content of this section merely recites reasons for allowance (RFA). As such, the title "Examiner's Amendment" is inaccurate.

Moreover, while Applicant agrees the claims are patentable over the prior art of record, Applicant does not agree that patentability resides in each feature exactly as expressed in the claims, nor that every feature is required for patentability of each claim. Applicant does not acquiesce in any other aspects of the RFA not specifically addressed herein.

Respectfully submitted,



Jonathan E. Thomas
Reg. No. 50,352

Richard S. Meyer
Reg. No. 32,541

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McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Tel: 703-712-5429
Fax: 703-712-5254

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